

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7562

BILL NUMBER: HB 1269

NOTE PREPARED: Jan 28, 2003

BILL AMENDED:

SUBJECT: Practice of Medicine Exclusion.

FIRST AUTHOR: Rep. Orentlicher

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that health care practitioners who practice their respective professions as authorized by their regulating statute do not engage in the unlawful practice of medicine. It makes conforming amendments. The bill also makes a technical correction.

Effective Date: July 1, 2003.

Explanation of State Expenditures: This bill provides that health care practitioners who practice their respective professions as authorized by their regulating statute are excluded from being penalized for the unlawful or unauthorized practice of medicine or osteopathic medicine without holding a license to do so. This would prevent the Medical Licensing Board from penalizing or taking action against a practitioner who is practicing within the scope of their license. Because this provision reduces the universe of those who could potentially be convicted of a Class C felony for the above violation, the threat of possible charges against the various licensees is eliminated and the state will avoid potential costs associated with incarceration.

Explanation of State Revenues: *Penalty Provision - See Explanation of State Expenditures* regarding the potential for fewer felony cases and for fewer court cases and reduced fine revenue to the Common School Fund and the state General Fund.

Explanation of Local Expenditures: *Penalty Provision - See Explanation of State Expenditures* regarding the potential for fewer felony cases and fewer defendants detained in county jails prior to court hearings.

Explanation of Local Revenues: *Penalty Provision - See Explanation of State Expenditures* regarding the potential for fewer felony cases and for fewer court cases and reduced fee revenue.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs Association, Department of Correction.

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